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Attorneys for Defendant Merrill Lynch & Co., Inc.

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

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IN RE WORLD TRADE CENTER LOWER	:	21 MC 102 (AKH)
MANHATTAN DISASTER SITE LITIGATION	:	
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	:	
	:	
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WILFRIDO TENEMPAGUAY,	:	07-CV-05320-AKH
	:	
Plaintiff,	:	<b>NOTICE OF ADOPTION</b>
	:	<b>OF ANSWER</b>
- against -	:	<b>TO MASTER COMPLAINT</b>
	:	<b>BY MERRILL LYNCH</b>
160 WATER ST., INC., <i>et al.</i> ,	:	
	:	<b>ELECTRONICALLY FILED</b>
Defendants.	:	
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PLEASE TAKE NOTICE THAT Defendant Merrill Lynch & Co., Inc. (“Merrill Lynch”), as and for its responses to the allegations set forth in the Complaint by Adoption (Check-Off Complaint) Related to the Master Complaint filed in the above-referenced action, hereby adopts Merrill Lynch’s Answer to Master Complaint, dated August 3, 2007, which was filed in the matter of *In re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

WHEREFORE, Merrill Lynch demands judgment dismissing the above-captioned action as against it, together with its costs and disbursements and for such other and further relief as this Court deems just and proper.

Dated: New York, New York  
June 30, 2008

DICKSTEIN SHAPIRO LLP

By: /s/ Judith R. Cohen

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